



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Colorado River Valley Field Office
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FINDING OF NO SIGNIFICANT IMPACT
for
American Gypsum Plan of Operations Modification Project
Final Environmental Assessment

Background

The Bureau of Land Management (BLM) Colorado River Valley Field Office (CRVFO) prepared an Environmental Assessment (EA) to determine and analyze the environmental impacts of BLM approval of the expansion of American Gypsum Company's (American Gypsum's) operating Eagle-Gypsum Mine (the Mine) in west-central Eagle County, Colorado. The proposed expansion of the Mine as described in the Plan of Operations Modification¹ (Plan Modification) would increase the permit area from 830.2 to 929.4 acres (an increase of 99.2 acres). Production at the Mine would continue according to current mining methods. The Plan Modification proposes an expansion of the Mine that would 1) deepen and expand the existing Upper Pit and 2) develop the new East Pit. The Plan Modification also includes a previously developed sediment pond M601, which was not approved by the CRVFO at its current location prior to construction in 2006. The project area comprises proposed new disturbance in the permit area and in the proposed permit expansion area as well as the constructed location of sediment pond M601.

Finding of No Significant Impact

After considering the environmental effects described in the EA, as well as supporting documentation (including the CRVFO Approved Resource Management Plan [RMP]², which is incorporated by reference in the EA), I have determined that the American Gypsum Plan of Operations Modification Project (proposed project) would not significantly affect the quality of the human environment individually or cumulatively with other actions in the area.

None of the effects identified in the EA meet the definition of significance in context or intensity as described in 40 Code of Federal Regulations (CFR) 1508.27. Therefore, the preparation of an Environmental Impact Statement is not required, consistent with Section 102 (2) of the National Environmental Policy Act. This finding is based on the context and intensity of the proposed project as described below.

¹ American Gypsum. 2019. 2019 Plan of Operations Modification. Upper Pit and East Pit. September.

² Bureau of Land Management (BLM). 2015. *Record of Decision and Approved Resource Management Plan for the Bureau of Land Management Colorado River Valley Field Office*. BLM/CO/GI-15/003. June.

Rationale

This Finding of No Significant Impact (FONSI) is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27) with regard to the context and intensity of the impacts described in the EA.

Context

A range of analysis areas is used for the resources analyzed in the EA, including the Mine permit area; Gypsum Hills; and Eagle County, Colorado. These analysis areas provide context for the proposed project's potential impacts to each resource. The nearest population center to the Mine is the town of Gypsum, Colorado.

Intensity

The following discussion is organized around the significance criteria described in 40 CFR 1508.27 and incorporated into resources and issues considered (supplemental authorities cited in Appendix 1 of BLM NEPA Handbook H-1790-1³) and supplemental instructional memoranda, acts, regulations, and executive orders.

1. Impacts may be both beneficial and adverse.

Beneficial, adverse, direct, indirect, and cumulative environmental impacts are disclosed in the EA. The analysis in the EA indicates no significant impacts on society as a whole, the affected region, the affected interests, or the locality. The physical and biological effects are limited to the analysis areas identified in the EA.

2. The degree to which the proposed action affects public health or safety.

The proposed project would not adversely affect public health or safety. The proposed project includes design features (e.g. a gate at the mine entrance that is locked during non-business hours and fencing north of the Upper Pit to prevent accidental access from BLM trails located north of the Mine and the proposed East Pit area) to help mitigate any affects to public health or safety.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

The project area contains landforms, vegetation communities, biological resources, and cultural resources typical of the surrounding area. No historic or cultural resources considered to have unique characteristics were identified during the cultural resources surveys of the project area. See also response to #8 below.

³ BLM. 2008. *BLM National Environmental Policy Act Handbook H-1790-1*. Available at: https://www.blm.gov/sites/blm.gov/files/uploads/Media_Library_BLM_Policy_Handbook_h1790-1.pdf.

4. **The degree to which the effects on the quality of the human environment are likely to be highly controversial.**

Effects to the quality of the human environment from the proposed project are not expected to be significant or highly controversial. Controversy in this context is considered to involve disagreement about the nature of impacts and not political controversy, expressions of opposition to the action, or preference among the alternatives analyzed within the EA. The anticipated impacts of each of the alternatives are well understood and documented in detail in the EA.

5. **The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.**

There are no predicted effects on the human environment that are highly uncertain or involve unique or unknown risk. American Gypsum has been operating the Mine since 1984, and the proposed Mine expansion would involve a continuation of existing mining methods.

6. **The degree to which the action may establish precedent for future actions with significant effects or represents a decision in principle about a future consideration.**

The proposed project would not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration. The alternatives were considered by the interdisciplinary team within the context of past, present, and future actions.

7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts, which include connected actions regardless of land ownership.**

There are other reasonably foreseeable projects and activities on BLM-administered lands in the region. Considering past, present, and reasonably foreseeable future activities in the cumulative impacts analysis in the EA, it is not anticipated that any cumulative impacts of significance would result from the proposed project.

8. **The degree to which the action may adversely affect districts, sites, highways, structures or objects listed in or eligible for listing in the NRHP [National Register of Historic Places] or may cause loss or destruction of significant scientific, cultural or historical resources.**

The proposed project would not adversely affect districts, sites, highways, structures, or objects listed in or eligible for the NRHP and would not cause loss or destruction of significant scientific, cultural, or historical resources. Cultural resources surveys did not identify any cultural resources within the proposed action's area of potential effect. As a result, the project would not affect any cultural resources eligible for the NRHP.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

There are no endangered or threatened species, or habitat for such species, in the project area.

10. Whether the action threatens a violation of Federal, State or local law or requirements imposed for the protection of the environment.

The proposed project would not violate or threaten to violate any federal, state, or local law or requirement imposed for the protection of the environment.

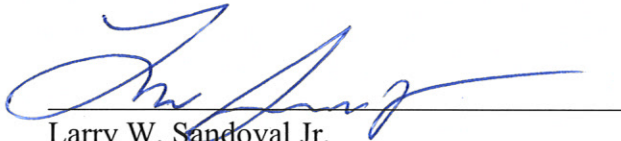
Determination

This FONSI is based on the information contained in the EA and my consideration of the criteria for significance (40 CFR 1508.27). It is my determination that

1. the implementation of the proposed project would not have significant environmental effects;
2. the proposed project is in conformance with the CRVFO RMP; and
3. the proposed project does not constitute a major federal action having significant effects on the human environment.

Therefore, an Environmental Impact Statement is not necessary.

SIGNATURE OF AUTHORIZING OFFICIAL.



Larry W. Sandoval Jr.
Field Manager
Colorado River Valley Field Office

June 26, 2020

Date